

05-01-03

AF/2800



POCKET NO.: ABMS-0122

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Erskine R. Barbour, *et al.*

Application No.: 09/875,059

Filing Date: June 6, 2001

Confirmation No.: 7848

Group Art Unit: 2858

Examiner: Teresinski, John

For: Apparatus For Controlling A Magnetically Actuated Power Switching Device  
And Method Of Controlling The Same

EXPRESS MAIL LABEL NO: EL928558669 US  
DATE OF DEPOSIT: April 30, 2003

EL928558669US

Box ☐ NON-FEE  
☒ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

### REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated January 30, 2003.
- ☐ An Amendment Supplemental to the Paper filed
- ☐ Other:
- ☐ Applicant(s) has previously claimed small entity status under 37 CFR § 1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR § 1.27 as:
  - ☐ an Independent Inventor
  - ☐ a Small Business Concern

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- ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the U.S. Patent and Trademark Office.
- ☐ Loss of Entitlement Enclosed
- ☐ Substitute Pages of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
  - ☐ Attached Form 1449.
  - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: .
- ☐ Other Material as follows: .

## FEE CALCULATION

☒ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	19	37 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$0
INDEP. CLAIMS	4	6 (3 MINIMUM)	0	\$42 EACH	\$	\$84 EACH	\$0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$0
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$0
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$205	\$	\$410	\$0
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$465	\$	\$930	\$0
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$725	\$	\$1450	\$0
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$985	\$	\$1970	\$0
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$0)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$0
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- ☐ A check in the amount of \$ .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account 23-3050.
- ☐ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of \_\_\_\_\_ to and through \_\_\_\_\_ comprising an extension of the shortened statutory period of \_\_\_\_\_ month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3050. This sheet is provided in duplicate.
- ☐ The foregoing amount due for filing this paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.

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**PATENT**

☒ Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: April 30, 2003

  
\_\_\_\_\_  
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#10/B  
5/6/03  
(N.E.I.)

BUCKET NO.: ABMS-0122

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:

Barbour *et al.*

Serial No.: 09/875,059

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Filed: June 06, 2001

Examiner: Teresinski, John

For: **Apparatus for Controlling a Magnetically Actuated Power Switching Device and Method for Controlling the Same**

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Sir:

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REPLY UNDER 37 CFR 1.116

In reply to the Final Rejection dated January 30, 2003, and in connection with the filing herewith of a Request for Continued Examination, Applicants respectfully request that the Examiner reconsider the application in view of the following amendments and arguments in support of patentability of the pending claims.

Kindly amend the application as follows:

AMENDMENT

In the claims:

Cancel claims 6, 9, 17-23 and 28-37.

Please amend claims 1, 8, 24 and add new claim 38 as follows:

DO NOT  
ENTER  
5/5/03